



MISSOURI DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION CORE ASSURANCES

The parties referred to in this document are all Federal agencies, including but not limited to the United States Department of Education, the United States Department of Agriculture, the United States Department of Health and Human Services and the United States Department of Labor, all herein referred to as the "DEPARTMENT," and the Missouri Department of Elementary and Secondary Education, herein referred to as the "DESE," and the local educational agency, herein referred to as the "SUBGRANTEE." DESE may make funds available to the SUBGRANTEE for programs operated by the SUBGRANTEE in accordance with requirements and regulations applicable to such programs. Consistent with 34 C.F.R. Sections 74-85, the SUBGRANTEE assures, if awarded a grant, subgrant, or contract:

1. That the SUBGRANTEE will accept funds in accordance with applicable Federal and State statutes, regulations, program plans, and applications, and administer the programs in compliance with all provisions of such statutes, regulations, applications, policies and amendments thereto.
2. That the control of funds provided to the SUBGRANTEE under each program and title to property acquired with those funds will be in a designated eligible recipient and that a designated eligible recipient will administer those funds and property.
3. That the SUBGRANTEE has the necessary legal authority to apply for and receive the proposed grant or subgrant and enter into the contract.
4. That the SUBGRANTEE will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996, OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations" utilizing generally accepted accounting principles (GAAP). The SUBGRANTEE will furthermore utilize competitive bidding practices in compliance with applicable procurement regulations. Additionally, the SUBGRANTEE will submit to DESE the aforementioned audit reports required in accordance with OMB Circular A-133 Section 300 (e) within the timeframes required by OMB Circular A-133 Section 320.
5. That the SUBGRANTEE will make reports to DESE and to the DEPARTMENT as may reasonably be necessary to enable DESE and DEPARTMENT to perform their duties. The reports shall be completed and submitted in accordance with the standards and procedures designated by DESE and/or the DEPARTMENT and shall be supported by appropriate documentation.
6. That the SUBGRANTEE will maintain records, including the records required under Section 437 of the General Education Provisions Act ("GEPA"), 20 U.S.C. § 1221, and provide access to those records as DESE or the DEPARTMENT and the Comptroller General or any of their authorized representatives in the conduct of audits authorized by Federal Law or State Statute. This cooperation includes access without unreasonable restrictions to its records and personnel

for the purpose of obtaining relevant information.

7. That the SUBGRANTEE will provide reasonable opportunities for participation by teachers, parents, and other interested agencies, organizations and individuals in the planning for and operation of each program, as may be necessary according to statute.

8. That any application, evaluation, periodic program plan or report relating to each program will be made readily available to parents and to other members of the general public.

9. That no person shall, on the ground of race, color, national origin, handicap, or sex be excluded from participation, be denied the benefits, or be otherwise subjected to discrimination under any program or activity for which the SUBGRANTEE receives Federal financial assistance. In this vein, the SUBGRANTEE agrees to assure compliance with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.); Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681-1683); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Age Discrimination Act (42 U.S.C. § 6101 et seq.); and the Americans with Disabilities Act (“ADA”) (42 U.S.C. § 12101 et seq.).

10. That the SUBGRANTEE shall continue its coordination with DESE during the length of the project period.

11. The SUBGRANTEE shall cooperate in any evaluation by the DEPARTMENT.

12. That the SUBGRANTEE will comply with all relevant laws relating to privacy and protection of individual rights including 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act of 1974).

13. That the SUBGRANTEE will comply with any applicable federal, state and local health or safety requirements that apply to the facilities used for a project.

14. That it shall maintain records for 3 years following completion of the activities for which the SUBGRANTEE uses the federal or state funding and which show:

(A) The amount of funds under the subgrant or grant.

(B) How the SUBGRANTEE uses the funds.

(C) The total cost of the project.

(D) The share of that total cost provided from other sources.

15. That in the event of a sustained audit exception, and upon demand of DESE, the SUBGRANTEE shall immediately reimburse DESE for that portion of the audit exception attributable under the audit to the SUBGRANTEE. The SUBGRANTEE agrees to hold DESE harmless for any audit exception arising from the SUBGRANTEE’s failure to comply with applicable regulations.

16. That the SUBGRANTEE is aware all Federal and state funds granted to it are conditioned upon the availability and appropriation of such funds by the United States Congress and the

Missouri General Assembly. These funds are subject to reduction or elimination by the United States Congress or Missouri General Assembly at any time, even following award and disbursement of funds. Except as otherwise provided by law, the SUBGRANTEE shall hold DESE harmless for any reduction or elimination of Federal or state funds granted to it. In the event of non-appropriation or reduction of appropriation and notice, the SUBGRANTEE shall immediately cease further expenditures under any Federal or state project.

17. The SUBGRANTEE will adopt and use the proper methods of administering the subgrants, including, but not limited to:

(A) The enforcement of any obligations imposed by law.

(B) The correction of deficiencies in program operations that are identified through program audits, monitoring or evaluation.

(C) The adoption of written procedures for the receipt and resolution of complaints alleging violations of law in the administration of such programs.

18. The SUBGRANTEE, by submission of a grant proposal, agrees that the DEPARTMENT or DESE have the authority to take administrative sanctions, including, but not limited to, suspension of cash payments for the project, suspension of program operations and/or, termination of project operations, as necessary to ensure compliance with applicable laws, regulations and assurances for any project. The SUBGRANTEE acknowledges this authority under 34 CFR 80.43, 34 CFR 74.62, as applicable.

19. When funded on an advance basis by DESE, the SUBGRANTEE agrees to minimize the time between the transfer of funds and the disbursement by the local entity in accordance with the Cash Management Improvement Act (31 CFR part 205). Additionally, the SUBGRANTEE agrees to maintain cash balances which meet their immediate cash needs only. Any interest earnings by the SUBGRANTEE will require repayment in accordance with OMB Circular A-102 §__.21 (i) or OMB Circular A-110 §__.22 (l), as applicable.

20. In the purchase of equipment and supplies, the SUBGRANTEE will comply with local, state and Federal procurement policies. In addition, equipment and supplies purchased for use in a Federal or state program will comply with the provisions of OMB Circular A-102 or OMB Circular A-110, as applicable and any individual program regulations.

21. The SUBGRANTEE will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

22. That the SUBGRANTEE will acquire, use, maintain and dispose of equipment purchased for the approved project in accordance with 34 CFR 80.32, if applicable.

23. That the SUBGRANTEE will have effective financial management systems which conform to the standards present in 34 CFR 80.20, which includes, but is not limited to, the ability to report financial data verifying compliance with program regulations and maintaining effective internal control over the operations of the approved grant.

24. That the SUBGRANTEE will conform all activities conducted under the approved grant to the provisions contained within OMB Circular A-87, A-21 and/or A-122, as applicable.

25. That the SUBGRANTEE will obligate funds within the approved project period as set forth in the approved application and will liquidate said obligations not later than 90 days after the end of the project period for grants applied for electronically. For purposes of approved projects, obligations have the same meaning as contained in 34 CFR 76.707.

26. That no SUBGRANTEE will subgrant the approved project to another entity without the express written consent of DESE.

27. Additionally, to certify compliance with requirements regarding Lobbying; Debarment, Suspension, Ineligibility and Voluntary Exclusion; and, Drug-Free Workplace, as prescribed in 34 C.F.R. Part 82 and Part 85, and 7 C.F.R. Part 3017, and the required regulations implementing Executive Order 12549. The SUBGRANTEE assures that:

(A) All fund participants certify, by submission of this statement, that project funds will not, in any way, be used for the purpose of Lobbying or other wise influencing decisions supporting the granting of funds administered by DESE.

(B) The prospective lower tier participant certifies, by submission of this statement, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(C) If the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this statement.

(D) That subgrantees receiving DESE administered funds will provide a drug-free workplace.

28. Any additional assurances listed within the rules for a specific application as required by the DESE program office administering the program.